

January 23, 2007

TO: Members of the MAG Regional Council

FROM: Mayor James M. Cavanaugh, Goodyear, Chair

SUBJECT: MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA

Meeting - 5:00 p.m.

Wednesday, January 31, 2007

MAG Office, Suite 200 - Saguaro Room

302 North 1st Avenue, Phoenix

Dinner - 6:30 p.m.

MAG Office, Suite 200

The next Regional Council meeting will be held at the MAG offices at the time and place noted above. Members of the Regional Council may attend either in person, by videoconference or by telephone conference call. Members who wish to remove any items from the Consent Agenda are requested to contact the MAG office. MAG will host a dinner/reception for the Regional Council members following the meeting in the MAG Cholla Room on the 2nd floor. Supporting information is enclosed for your review.

Please park in the garage underneath the building. Parking places will be reserved for Regional Council members on the first and second levels of the garage. Bring your ticket to the meeting, parking will be validated. For those using transit, the Regional Public Transportation Authority will provide transit tickets for your trip. For those using bicycles, please lock your bicycle in the bike rack in the garage.

Pursuant to Title II of the Americans with Disabilities Act (ADA), MAG does not discriminate on the basis of disability in admissions to or participation in its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the MAG office. Requests should be made as early as possible to allow time to arrange the accommodation.

If you have any questions, please call the MAG office.

c: MAG Management Committee

**MAG REGIONAL COUNCIL
TENTATIVE AGENDA
January 31, 2007**

	<u>COUNCIL ACTION REQUESTED</u>
1. <u>Call to Order</u>	
2. <u>Pledge of Allegiance</u>	
3. <u>Call to the Audience</u> An opportunity will be provided to members of the public to address the Regional Council on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Citizens will be requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Regional Council requests an exception to this limit. Please note that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.	3. Information.
4. <u>Executive Director's Report</u> The MAG Executive Director will provide a report to the Regional Council on activities of general interest.	4. Information and discussion.
5. <u>Approval of Consent Agenda</u> Council members may request that an item be removed from the consent agenda. Prior to action on the consent agenda, members of the audience will be provided an opportunity to comment on consent items. Consent items are marked with an asterisk (*).	5. Approval of the Consent Agenda.

ITEMS PROPOSED FOR CONSENT*

MINUTES

*5A. <u>Approval of the December 13, 2006 Meeting Minutes</u>	5A. Review and approval of the December 13, 2006 meeting minutes.
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TRANSPORTATION ITEMS

- *5B. Proposed Amendment and Administrative Adjustment to the FY 2007-2011 MAG Transportation Improvement Program and Amendment to the FY 2007 MAG Unified Planning Work Program and Annual Budget

On May 24, 2006, the MAG Regional Council approved the FY 2007 MAG Unified Planning Work Program (UPWP) and Annual Budget which included a line item to fund an Elderly Mobility Pilot program project. In June 2006, the MAG Regional Council agreed to allow this project to proceed by means of a fund exchange with the City of Phoenix Public Transit Department. On July 26, 2006, the Regional Council approved the FY 2007-2011 MAG Transportation Improvement Program (TIP) which included \$400,000 in STP-MAG funds for the Elderly Mobility project. In order for this project to proceed, an administrative adjustment to the TIP is needed to replace the STP-MAG funded project with a Local funded project and a TIP Amendment is needed to add a new CMAQ-funded bus purchase project to repay the City of Phoenix. An amendment to the FY 2007 UPWP and Annual Budget is also requested. On January 10, 2007, the Management Committee recommended approval of this item. The Amendment/Adjustment to the TIP was recommended for approval by the Transportation Policy Committee on January 17, 2007. Please refer to the enclosed material.

- *5C. Proposed Administrative Adjustment to the FY 2007-2011 Transportation Improvement Program (TIP) for Transit Projects

On July 26, 2006, the MAG Regional Council approved the FY 2007-2011 MAG Transportation Improvement Program (TIP). Since that time, the Regional Public Transportation Authority (RPTA/Valley Metro) has requested the deferral of two STP-AZ federally funded park-and-ride projects that were not obligated during the last federal fiscal year and an administrative adjustment is needed to accomplish these deferrals. The proposed changes may be categorized as exempt projects or minor project

- 5B. Approval of an Amendment and an Administrative Adjustment to the FY 2007-2011 TIP and FY 2007 UPWP and Annual Budget to allow these projects to proceed.

- 5C. Approval of an Administrative Adjustment to the FY 2007-2011 MAG Transportation Improvement Program to defer two STP-AZ funded transit projects as shown in the attached table.

revisions for which an air quality conformity analysis is not required. The Transportation Review Committee, the Management Committee, and the Transportation Policy Committee recommended approval of both project deferrals. Please refer to the enclosed material.

*5D. Recommendation of Projects for MAG Federal Funding in the FY 2008-2012 MAG Transportation Improvement Program (TIP)- the MAG Federally Funded Program

The MAG Regional Transportation Plan (RTP) targets all future MAG Federal Funds to specific modes and, in some cases, identifies specific projects for the funds. For ITS, Bicycle, Pedestrian and Air Quality projects, the RTP identified funds, but did not specify individual projects. Requests for projects for the MAG Federal funds expected to be available for FY 2012 have been received, and ranked by modal technical advisory committees (TACs). Funds are also available for ITS projects for FYs 2008, 2009 and 2010. The TAC rankings were reviewed by the Transportation Review Committee (TRC) on December 14, 2006. The attached table contains the most recently recommended projects from the Air Quality, Bicycle, Pedestrian and ITS modes. The approved projects from these modes will be combined with other recommendations for the life cycle programs for freeways, arterials and transit, to form a MAG Federally Funded program. This program will then be added to the regionally funded components of the freeway, arterial and transit life cycle programs, projects from the state highway program and any locally/privately funded projects being submitted for inclusion in the TIP to form the draft TIP (Listing of Projects). The Management Committee and the Transportation Policy Committee recommended approval of this item. Please refer to the enclosed material.

5D. Approval of the projects for CMAQ discretionary funding and to include those projects in the Draft FY 2008-2012 MAG Transportation Improvement Program for public review and comment.

*5E. Purchase of Loop 303 Right-of-Way by the City of Goodyear

The City of Goodyear has an opportunity to acquire approximately 87 acres of property that is in the alignment for the preferred corridor for the L303 from I-10 to MC 85. The property, if not purchased now, could be developed between now and when the right-of-way would normally be acquired for the freeway. This section of L303 has design and right-of-way funds programmed in 2016 and construction funding in 2018 and 2019. Goodyear is proposing that the City purchase the property now for approximately \$12 million and that the city would be reimbursed this amount in 2016. The current appraised value of the property is approximately \$14.1 million. To protect the freeway life cycle program, Goodyear understands that they will only be reimbursed for the property that is actually needed for the freeway and that, if the freeway corridor is not sited through this property, the City would not receive any reimbursement. Furthermore, Goodyear would agree to be reimbursed less if the appraised value of the property in 2016 is less than the current appraised value. Note that the future appraisal of the property would assume that the highest and best use of the property would be the same as that assumed in the current appraisal rather than as a remnant property. With the conditions that only the property needed for the freeway will be reimbursed and that the amount of the reimbursement will be the amount Goodyear paid for the property or fair market value assuming that the highest and best use of the property would be the same as that assumed in the current appraisal, there is no negative impact on the ADOT freeway life cycle program. The freeway program will potentially benefit from this proposal since any future property value increases and severance damages will be avoided. The Management Committee and the Transportation Policy Committee recommended approval of this item. Please refer to the enclosed material.

5E. Approval that the proposal for Goodyear to acquire the property and to be reimbursed at an amount that is the lesser of the amount Goodyear paid for the property or the fair market value of the property, assuming the highest and best use as used in the current appraisal, according to the schedule in the freeway life cycle program for the right-of-way that is required for L303.

*5F. Consultant Selection for the Interstates 8 and 10 Hidden Valley Transportation Framework Study

The FY 2007 MAG Unified Planning Work Program and Annual Budget, approved by the MAG Regional Council in May 2006, includes the Interstates 8 and 10 Hidden Valley Transportation Framework Study. MAG has been requested to serve as the lead agency given the regional nature of this project. Project partners providing financial support include ADOT, MCDOT, CAAG, Pinal County Public Works, the Cities of Goodyear and Maricopa, and the Town of Buckeye. In October 2006, MAG advertised for a consultant to provide services to accomplish this study and received three responses. A multi-agency review team scored the proposals, conducted interviews, and recommended to MAG the selection of DMJM Harris to conduct the Study for an amount not to exceed \$770,000. The Management Committee recommended approval of the selection. Please refer to the enclosed material.

5F. Approval of the selection of DMJM Harris to conduct the Interstates 8 and 10 Hidden Valley Roadway Framework Study for an amount not to exceed \$770,000.

AIR QUALITY ITEM

*5G. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on a conformity assessment for an amendment to the FY 2007-2011 MAG Transportation Improvement Program. The proposed amendment includes the addition of a new City of Phoenix project for the purchase of a standard bus in FY 2007. In addition, minor project revisions are included for an Elderly Mobility Pilot Program and two regional park-and-ride projects. The amendment includes projects that may be categorized as exempt and minor project revisions that do not require a conformity determination. Comments on the conformity assessment were requested by January 26, 2007. Please refer to the enclosed material.

5G. Consultation.

GENERAL ITEMS

*5H. Fiscal Impact of Domestic Violence on Local Criminal Justice Systems

The MAG Regional Domestic Violence Council's Victim Services Stakeholder Group, in partnership with the Arizona State University Partnership for Community Development, has completed the report, *The Fiscal Impact of Domestic Violence on Local Criminal Justice Systems in the MAG Region*. The report provides data on the costs of domestic violence to police departments, prosecutors' offices, and municipal courts in a sampling of four cities. Based on the report's findings, three recommendations are provided: additional study at a municipal level; analysis of existing local policies and procedures to identify differences and commonalities; and identify and recommend applicable data collection and data sharing models. Please refer to the enclosed material.

*5I. Social Services Block Grant Fund Recommendations

Under a planning contract with the Arizona Department of Economic Security (DES), the MAG Human Services Planning Program annually researches and solicits input on human services needs in the MAG region. The MAG Human Services Coordinating Committee identifies which services should be directed to meet these needs through the locally planned dollars under the Social Services Block Grant (SSBG). Services funded by SSBG include assistance to the most vulnerable people in our region, including very low-income children and families, elderly people, victims of domestic violence, homeless people and persons with disabilities. This item is presented to recommend approval of the allocation recommendations for FY 2007-2008 and to forward the recommendations to the Arizona Department of Economic Security. The Management Committee and the MAG Human Services Coordinating Committee recommended approval of this item. Please refer to the enclosed material.

5H. Information and discussion.

5I. Approval of the SSBG allocation recommendations for FY 2007-2008 to be forwarded to the Arizona Department of Economic Security.

- *5J. Status Update on the June 30, 2006 Single Audit and Management Letter Comments, MAG's Comprehensive Annual Financial Report (CAFR) and OMB Circular A-133 Reports (i.e., "Single Audit") for the Fiscal Year Ended June 30, 2006

The public accounting firm of Deloitte & Touche LLP has completed the audit of MAG's Comprehensive Annual Financial Report (CAFR) and Single Audit for the fiscal year ended June 30, 2006. An unqualified audit opinion was issued on December 28, 2006 on the financial statements of governmental activities, the aggregate discretely presented component units, each major fund and the aggregate remaining fund information. The independent auditors' report on compliance with the requirements applicable to major federal award programs, expressed an unqualified opinion on the Single Audit. The Single Audit report indicated there were no reportable conditions in MAG's internal control over financial reporting considered to be material weaknesses, no instances of noncompliance considered to be material and no questioned costs. The Single Audit report had no new or repeat findings. No new or repeat Management Letter comments were issued for the fiscal year ended June 30, 2006. On January 8, 2007, the Executive Committee recommended acceptance of the audit opinion. Please refer to the enclosed material.

- *5K. The Arizona Data Estimates and Projections Task Force (ADEPT)

The Arizona Data Estimates and Projections Task Force (ADEPT) was created by Executive Order 2006-4 on February 8, 2006 and was tasked with evaluating best practices by other states for developing accurate population and employment estimates and projections and labor market information; reviewing what is being done at the state level; and making recommendations to enhance the estimates and projections process as well as enhance access to and utilization of labor market information. ADEPT has issued an interim report to the Governor. Please refer to the enclosed material.

- 5J. Acceptance of the audit opinion issued on the MAG Comprehensive Annual Financial Report and Single Audit Report for the year ended June 30, 2006.

- 5K. Information and discussion.

*5L. Ratification of the Annual Performance Review and Compensation of the MAG Executive Director

In January 2003, the Regional Council approved an agreement to hire the current Executive Director. As part of this agreement, it was provided that the Executive Director would receive an annual performance review conducted by the Executive Committee. As part of the evaluation, in November 2006, a questionnaire was sent to the members of the Regional Council to comment on the performance of the Executive Director. On January 8, 2007, the Executive Committee reviewed the comments from the Regional Council, discussed the performance of the Executive Director, and took action to increase the salary of the Executive Director. The action of the Executive Committee is being presented to the Regional Council for ratification. Please refer to the enclosed material.

5L. Ratify the action of the Executive Committee to increase the MAG Executive Director's salary.

ITEMS PROPOSED TO BE HEARD

TRANSPORTATION ITEMS

6. Nominations for Business Representatives on the Transportation Policy Committee

With the passage of Proposition 400 on November 2, 2004, the President of the Senate and the Speaker of the House of Representatives were authorized to appoint six business members representing regionwide business interests to the Transportation Policy Committee (TPC). The terms of two of the business members who were appointed by the Speaker of the House expired on December 31, 2006. The law also provides that the Chair of the Regional Planning Agency may submit names to the President of the Senate and Speaker of the House of Representatives for consideration. On January 9, 2007, a memorandum was sent to Regional Council members requesting names for the business representatives. The TPC provided input at its January 17, 2007 meeting, and recommended that the two individuals who previously served continue on the Committee. The individuals

6. Approve having the Chair of the MAG Regional Council forward the two names recommended by the TPC to the Speaker of the House of Representatives for consideration.

recommended were Mr. Eneas Kane of DMB Associates, Inc., to fill the regionwide business interest seat, and Mr. Dave Berry of Swift Transportation to fill the business seat representing freight interests. The Regional Council is requested to approve having the Chair of the Regional Council forward the two names recommended by the TPC to the Speaker of the House of Representatives for consideration. Please refer to the enclosed material.

AIR QUALITY ITEM

7. Air Quality Update

An Air Quality Update will be provided on the Five Percent Plan for PM-10 and the Eight-Hour Ozone Plan which are due to the Environmental Protection Agency in 2007. A recent court ruling vacated EPA's Phase I Eight-Hour Ozone Implementation Rule, which included the classification of the nonattainment areas. Also, on January 8, 2007, an Air Quality Executive Order was issued which requires the Arizona Department of Environmental Quality to develop an Air Quality Improvement Action Plan by March 31, 2007 and to develop requirements for State agency Air Quality Impact Reports on proposed State funded transportation projects in Maricopa, Pima, and Pinal counties. Please refer to the enclosed material.

7. Information and discussion.

GENERAL ITEMS

8. Discussion of the Development of the FY 2008 MAG Unified Planning Work Program and Annual Budget

Each year, the Unified Planning Work Program and Annual Budget is developed in conjunction with member agency and public input. The Work Program is reviewed each year by the federal agencies in the spring and approved by the Regional Council in May. This overview of MAG's draft Dues and Assessments and the proposed budget production timeline provides an opportunity for early input into the development

8. Input on the development of the FY 2008 MAG Unified Planning Work Program and Annual Budget.

of the Work Program and Budget. Please refer to the enclosed material.

9. Legislative Update

An update will be provided on legislative issues of interest.

10. Comments from the Council

An opportunity will be provided for Regional Council members to present a brief summary of current events. The Regional Council is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

9. Information, discussion and possible action.

10. Information.